

O I P E  
Practitioner's Docket No. 7210115002-3221000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mukherjee, et al.

Application No.: 10/615,812

Group No.: 1775

Filed: July 8, 2003

Examiner: Not Yet Assigned

For: LOW DIELECTRIC MATERIALS AND METHODS OF PRODUCING SAME

Mail Stop Missing Parts  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.47**

This petition is being filed in Response to the Notice to File Missing Parts dated October 15, 2003. Enclosed is a copy of the Notice to File Missing Parts of Nonprovisional Application for signature of inventor Shyama Mukherjee missing from oath or declaration.

Enclosed is a copy of the letter dated February 18, 2004 we sent to inventor Shyama Mukherjee enclosing a copy of the application for review and the declaration/power of attorney for signature. Inventor Shyama Mukherjee is no longer employed by Honeywell and is refusing to sign the oath or declaration.

The above-referenced application is a divisional of USSN 10/189,318. Enclosed is a copy of the declaration/power of attorney filed and accepted on July 3, 2002 in the priority application USSN 10/189,318. This declaration/power of attorney lists the undersigned, Sandra L. Poteat (Thompson) Registration No. 46264, as having power of attorney.

Also enclosed is a copy of the declaration/power of attorney filed and accepted on August 23, 2000 in the parent application USSN 09/587,851. This declaration/power of attorney lists the undersigned, Sandra L. Poteat (Thompson) Registration No. 46264, as having power of attorney.

Both declarations/powers of attorney comply with 37 CFR 1.63.

03/19/2004 LWONDIM1 00000034 502518 10615812

03 FC:1253

950.00 DA

**CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**



deposited with the United States Postal Service  
with sufficient postage as first class mail in an  
envelope addressed to the Assistant  
Commissioner for Patents, Washington, D.C.  
20231.

Date: March 15, 2004

**FACSIMILE**

[ ] transmitted by facsimile to the Patent and  
Trademark Office at (703) \_\_\_\_\_

  
Kristin J. Azcona

Petition Under 37 CFR 1.47--page 1 of 1

03/19/2004 LWONDIM1 00000034 10615812

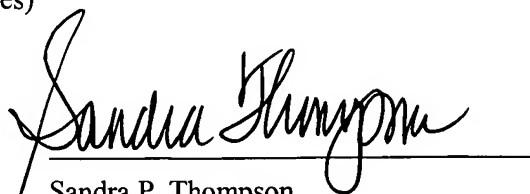
02 FC:1460 130.00 DA

(surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

Date: March 15, 2004



Sandra P. Thompson  
Bingham McCutchen  
600 Anton Blvd., 18<sup>th</sup> Floor  
Costa Mesa, CA 92626  
USA



COPY

February 18, 2004.

**VIA U.S. EXPRESS MAIL**

Bingham McCutchen LLP  
Plaza Tower  
18th Floor  
600 Anton Boulevard  
Costa Mesa, CA  
92626-1924

714.433.2900  
714.549.3244 fax

bingham.com

Boston  
Hartford  
London  
Los Angeles  
New York  
Orange County  
San Francisco  
Silicon Valley  
Tokyo  
Walnut Creek  
Washington

Shyama Mukherjee  
2470 Pinto Court  
Morgan Hill, CA 95037

RE: Application Serial No. 10/615812  
Low Dielectric Constant Nano Composites  
Honeywell Ref: 30-4915 DIV2 (4780)  
Our Ref: 7210115002-3221000

Dear Shyama:

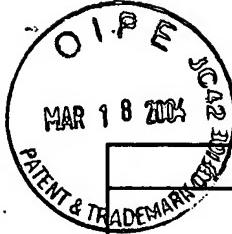
Enclosed for your review and signature is a copy of the Application, Declaration/Power of Attorney, Assignment and Taiwanese Oath/Assignment for the above-referenced matter. Please sign the documents in blue ink only, and return the signed originals back to me in the enclosed self-addressed stamped envelope for immediate filing.

If you should have any questions, please feel free to contact this office.

Sincerely,

Kristin J. Azcona  
Paralegal

Enclosures



HW Docket No.: 30-4915 DIV2 (4780)

## DECLARATION FOR PATENT APPLICATION SOLE OR JOINT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention titled:

### Low Dielectric Constant Nano Composites

the specification of which is attached hereto unless the following box is checked.

was filed on **July 8, 2003** as United States Application Number or PCT International Application

Number **10/615,812** and was amended on \_\_\_\_\_ (If Applicable).

I HEREBY STATE THAT I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS.

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION THAT IS MATERIAL TO THE PATENTABILITY OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

#### Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications listed below and, INSO FAR AS THE SUBJECT MATTER OF EACH OF THE CLAIMS OF THIS APPLICATION IS NOT DISCLOSED IN THE PRIOR UNITED STATES APPLICATION IN THE MANNER PROVIDED BY THE FIRST PARAGRAPH OF TITLE 35, UNITED STATES CODE, §112, I ACKNOWLEDGE THE DUTY TO DISCLOSE MATERIAL INFORMATION AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, §1.56(a) WHICH OCCURRED BETWEEN THE FILING DATE OF THE PRIOR APPLICATION AND THE NATIONAL OR PCT INTERNATIONAL FILING DATE OF THIS APPLICATION:

10/189318 (Application Serial Number)	July 3, 2002 (Filing Date)	Patented (STATUS: Patented, Pending, Abandoned)
09/587851 (Application Serial Number)	June 6, 2000 (Filing Date)	Patented (STATUS: Patented, Pending, Abandoned)
10/388695 (Application Serial Number)	March 13, 2003 (Filing Date)	Pending (STATUS: Patented, Pending, Abandoned)

SEND CORRESPONDENCE TO: Sandra P. Thompson

Bingham McCutchen  
600 Anton Blvd., 18<sup>th</sup> Floor  
Costa Mesa, CA 92626

DIRECT TELEPHONE CALLS TO: Sandra P. Thompson (714) 830-0622

## DECLARATION FOR PATENT APPLICATION—SOLE OR JOINT (Cont'd.)

HW Docket No.: 30-4915 DIV2 (4780)

Page 2

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF SOLE OR FIRST INVENTOR Shyama MUKHERJEE

INVENTOR'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

RESIDENCE Morgan Hill, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

FULL NAME OF SECOND JOINT INVENTOR Roger LEUNG

INVENTOR'S SIGNATURE Roger Leung Date 1/20/04

RESIDENCE San Jose, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

FULL NAME OF THIRD JOINT INVENTOR Kreisler LAU

INVENTOR'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

RESIDENCE Sunnyvale, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

## DECLARATION FOR PATENT APPLICATION—SOLE OR JOINT (Cont'd.)

HW Docket No.: 30-4915 DIV2 (4780)

Page 2

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FULL NAME OF SOLE OR FIRST INVENTOR Shyama MUKHERJEE

INVENTOR'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

RESIDENCE Morgan Hill, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

FULL NAME OF SECOND JOINT INVENTOR Roger LEUNG

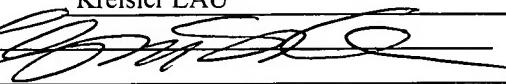
INVENTOR'S SIGNATURE \_\_\_\_\_ Date \_\_\_\_\_

RESIDENCE San Jose, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

FULL NAME OF THIRD JOINT INVENTOR Kreisler LAU

INVENTOR'S SIGNATURE  Date 1/12/04

RESIDENCE Sunnyvale, CA

CITIZENSHIP USA

POST OFFICE ADDRESS Honeywell International Inc.  
PO Box 2245  
101 Columbia Road  
Morristown, NJ 07962

DECLARATION FOR PATENT APPLICATION—SOLE OR JOINT (Cont'd.)

HW Docket No. 30-4915 DIV2 (4780)

Page 3

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected herewith (List name and registration number).

(LIST SENIOR PATENT COUNSEL AND ATTORNEY HANDLING CASE WITH PATENT OFFICE REGISTRATION NUMBERS.)



**COPY**

**PATENT**

Honeywell Docket No. 30-4915 (4780)  
Practitioner's Docket No. 595.11-US1

**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for an original application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

LOW DIELECTRIC MATERIALS AND METHODS OF PRODUCING SAME

**SPECIFICATION IDENTIFICATION**

The specification is attached hereto.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**COPY****POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

APPOINTED PRACTITIONER(S)	REGISTRATION NUMBER(S)
Robert D. Fish	33880
David J. Zoetewey	45258
Sandra L. Poteat	46264
Martin Fessenmaier	P-46697
Roger H. Criss	25570
John Donofrio	32339
Mary Ann Lemere	32160
Shannon Morris	42909
Curt Brueske	33839

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

---

**SEND CORRESPONDENCE TO**

Mary Ann Lemere  
Honeywell International Inc.  
101 Columbia Road  
PO Box 2245  
Morristown, NJ 07962-2245  
USA

**DIRECT TELEPHONE CALLS TO:**

Mary Ann Lemere  
(973) 455-7020

---

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**COPY**

**SIGNATURE(S)**

Shyama Mukherjee

Inventor's signature

Date 7/13/2000

Country of Citizenship USA

Residence 920 Popular Avenue, Santa Clara, CA

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA

■■■■■  


Roger Leung

Inventor's signature

Date 7/13/2000

Country of Citizenship USA

Residence 1351 Rimrock Drive, San Jose, CA 95120

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA

■■■■■

Kreisler Lau

Inventor's signature

Date 6-30-2000

Country of Citizenship USA

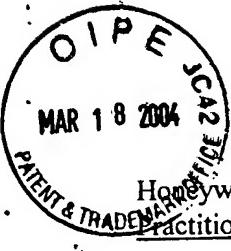
Residence 871 Rubis Drive, Sunnyvale, CA 94087

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA



COPY

PATENT

Honeywell Docket No. 30-4915 (4780)  
Practitioner's Docket No. 595.11-US1

## COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

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I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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**DECLARATION**

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SIGNATURE(S)

Shyama Mukherjee

Inventor's signature

Date 7/13/2000

Country of Citizenship USA

Residence 920 Popular Avenue, Santa Clara, CA

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA



Roger Leung

Inventor's signature

Date 7/13/2000

Country of Citizenship USA

Residence 1351 Rimrock Drive, San Jose, CA 95120

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA



Kreisler Lau

Inventor's signature

Date 6-30-2000

Country of Citizenship USA

Residence 871 Rubis Drive, Sunnyvale, CA 94087

Post Office Address Honeywell International Inc.

101 Columbia Road

PO Box 2245

Morristown, NJ 07962-1057 USA

## **DECLARATION OR OATH**

**II.** No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## **COMPLETION FEES**

**III.**

1. Surcharge Fees

Late payment of filing fee  
and/or late filing of original  
declaration or oath  
(37 C.F.R. Section 1.16(e)) \$130.00

Total Completion Fees \$130.00

## **EXTENSION OF TIME**

**IV.** The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that a three month extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## **TOTAL FEE DUE**

**V.** The total fee due is:

Completion fees	\$130.00
Extension fee (if any)	\$950.00
Total Fee Due	\$1080.00

## **PAYMENT OF FEES**

**VI.** Please charge Account No. 502518 for any fees that may be due by this paper.

## **AUTHORIZATION TO CHARGE ADDITIONAL FEES**

**VII.** The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the pendency of this application to Account No. 502518.

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims) 37 C.F.R. Section 1.16(e)